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**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**Jennifer Pearl Sanchez  
a.k.a. Jennifer Pearl Hebron  
P.O. Box 892934  
Temecula, CA 92589**

**Registered Nurse License No. 633553**

Respondent.

Case No. 2013-150

**STATEMENT TO RESPONDENT**

[Gov. Code §§ 11504, 11505(b)]

**TO RESPONDENT:**

Enclosed is a copy of the Accusation that has been filed with the Board of Registered Nursing of the Department of Consumer Affairs (Board), and which is hereby served on you.

A written request for a hearing signed by you must be received to the Board no later than September 19, 2012, which is within 15 days of when the Accusation was served on you or mailed to you. Otherwise, you will be deemed to have waived your right to a hearing in this matter and the Board may proceed upon the Accusation without a hearing and may take action thereon as provided by law.

The request for hearing may be made by faxing, delivering or mailing one of the enclosed forms entitled "Notice of Defense," or by faxing or mailing a Notice of Defense as provided in section 11506 of the Government Code, to

**Brent Farrand  
Discipline Legal Support Analyst  
Board of Registered Nursing  
P.O. Box 944210  
Sacramento, CA 94244-2100  
Fax No. (916) 574-7609**

You may, but need not, be represented by counsel at any or all stages of these proceedings.

The enclosed Notice of Defense, if signed and filed with the Board, shall be deemed a specific denial of all parts of the Accusation, but you will not be permitted to raise any objection

1 to the form of the Accusation unless you file a further Notice of Defense as provided in section  
2 11506 of the Government Code within fifteen (15) days after service of the Accusation on you.

3 If you file any Notice of Defense within the time permitted, a hearing will be held on the  
4 charges made in the Accusation.

5 The hearing may be postponed for good cause. If you have good cause, you are obliged to  
6 notify the Office of Administrative Hearings - San Diego 1350 Front Street, Suite 3005, San  
7 Diego, CA 92101-3614, within ten (10) working days after you discover the good cause. Failure  
8 to notify the Office of Administrative Hearings within ten (10) days will deprive you of a  
9 postponement.

10 Copies of sections 11507.5, 11507.6, and 11507.7 of the Government Code are enclosed.

11 If you desire the names and addresses of witnesses or an opportunity to inspect and copy  
12 the items mentioned in section 11507.6 of the Government Code in the possession, custody or  
13 control of the Board you may send a Request for Discovery to the designated Deputy Attorney  
14 General at the address below:

15 Linda K. Schneider  
16 Deputy Attorney General  
17 California Department of Justice  
18 110 West "A" Street, Suite 1100  
19 San Diego, CA 92186-5266  
20 (619) 645-3037

### 21 **NOTICE REGARDING STIPULATED SETTLEMENTS**

22 It may be possible to avoid the time, expense and uncertainties involved in an  
23 administrative hearing by disposing of this matter through a stipulated settlement. A stipulated  
24 settlement is a binding written agreement between you and the government regarding the matters  
25 charged and the discipline to be imposed. Such a stipulation would have to be approved by the  
26 Board of Registered Nursing but once approved; it would be incorporated into a final order.

27 Any stipulation must be consistent with the Board's established disciplinary guidelines;  
28 however, all matters in mitigation or aggravation will be considered. A copy of the Board's  
Disciplinary Guidelines will be provided to you on your written request to the state agency  
bringing this action.

1 If you are interested in pursuing this alternative to a formal administrative hearing, or if you  
2 have any questions, you or your attorney should contact Deputy Attorney General, Linda K.  
3 Schneider at the earliest opportunity.

1 KAMALA D. HARRIS  
Attorney General of California  
2 ALFREDO TERRAZAS  
Senior Assistant Attorney General  
3 LINDA K. SCHNEIDER  
Supervising Deputy Attorney General  
4 State Bar No. 101336  
110 West "A" Street, Suite 1100  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 645-3037  
7 Facsimile: (619) 645-2061  
Attorneys for Complainant  
8

9  
10 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2013-150*

13 **JENNIFER PEARL SANCHEZ;**  
14 **AKA JENNIFER PEARL HEBRON**  
15 **P.O. Box 892934**  
**Temecula, CA 92589**

**A C C U S A T I O N**

16 **Registered Nurse License No. 633553**

17 Respondent.

18  
19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
23 Consumer Affairs.

24 2. On or about March 1, 2004, the Board of Registered Nursing issued Registered  
25 Nurse License Number 633553 to Jennifer Pearl Sanchez, also known as Jennifer Pearl Hebron  
26 (Respondent). The Registered Nurse License was in full force and effect at all times relevant to  
27 the charges brought herein and will expire on February 28, 2014, unless renewed.

28 ///

## JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811, subdivision (b) of the Code, the Board may renew an expired license at any time.

## STATUTORY PROVISIONS

6. Section 482 of the Code states:

Each board under the provisions of this code shall develop criteria to evaluate the rehabilitation of a person when:

(a) Considering the denial of a license by the board under Section 480;  
or

(b) Considering suspension or revocation of a license under Section 490.

Each board shall take into account all competent evidence of rehabilitation furnished by the applicant or licensee.

7. Section 490 of the Code provides that a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

8. Section 493 of the Code states:

Notwithstanding any other provision of law, in a proceeding conducted by a board within the department pursuant to law to deny an application for a license or to suspend or revoke a license or otherwise take disciplinary action against a person who holds a license, upon the ground that the applicant or the licensee has been convicted of a crime substantially related to the qualifications, functions, and duties of the licensee in question, the record of conviction of the crime shall be

1 conclusive evidence of the fact that the conviction occurred, but only of that fact,  
2 and the board may inquire into the circumstances surrounding the commission of  
3 the crime in order to fix the degree of discipline or to determine if the conviction  
is substantially related to the qualifications, functions, and duties of the licensee in  
question.

4 As used in this section, "license" includes "certificate," "permit,"  
5 "authority," and "registration."

6 9. Section 2761 of the Code states:

7 The board may take disciplinary action against a certified or licensed  
8 nurse or deny an application for a certificate or license for any of the following:

9 (a) Unprofessional conduct, which includes, but is not limited to, the  
following:

10 ....

11 (f) Conviction of a felony or of any offense substantially related to the  
12 qualifications, functions, and duties of a registered nurse, in which event the  
record of the conviction shall be conclusive evidence thereof.

13 ....

14 10. Section 2765 of the Code states:

15 A plea or verdict of guilty or a conviction following a plea of *nolo*  
16 *contendere* made to a charge substantially related to the qualifications, functions  
17 and duties of a registered nurse is deemed to be a conviction within the meaning  
18 of this article. The board may order the license or certificate suspended or  
19 revoked, or may decline to issue a license or certificate, when the time for appeal  
20 has elapsed, or the judgment of conviction has been affirmed on appeal or when  
an order granting probation is made suspending the imposition of sentence,  
irrespective of a subsequent order under the provisions of Section 1203.4 of the  
Penal Code allowing such person to withdraw his or her plea of guilty and to enter  
a plea of not guilty, or setting aside the verdict of guilty, or dismissing the  
accusation, information or indictment.

## 21 REGULATORY PROVISIONS

22 11. California Code of Regulations, title 16, section 1444, states:

23 A conviction or act shall be considered to be substantially related to the  
24 qualifications, functions or duties of a registered nurse if to a substantial degree it  
25 evidences the present or potential unfitness of a registered nurse to practice in a  
manner consistent with the public health, safety, or welfare. Such convictions or  
acts shall include but not be limited to the following:

26 (a) Assaultive or abusive conduct including, but not limited to, those  
violations listed in subdivision (d) of Penal Code Section 11160.

27 (b) Failure to comply with any mandatory reporting requirements.

28 (c) Theft, dishonesty, fraud, or deceit.

1 (d) Any conviction or act subject to an order of registration pursuant to  
2 Section 290 of the Penal Code.

3 12. California Code of Regulations, title 16, section 1445 states:

4 . . . .

5 (b) When considering the suspension or revocation of a license on the  
6 grounds that a registered nurse has been convicted of a crime, the board, in  
7 evaluating the rehabilitation of such person and his/her eligibility for a license  
8 will consider the following criteria:

9 (1) Nature and severity of the act(s) or offense(s).

10 (2) Total criminal record.

11 (3) The time that has elapsed since commission of the act(s) or  
12 offense(s).

13 (4) Whether the licensee has complied with any terms of parole,  
14 probation, restitution or any other sanctions lawfully imposed against the  
15 licensee.

16 (5) If applicable, evidence of expungement proceedings pursuant  
17 to Section 1203.4 of the Penal Code.

18 (6) Evidence, if any, of rehabilitation submitted by the licensee.

### 19 COST RECOVERY

20 13. Section 125.3 of the Code provides, in pertinent part, that the Board may request  
21 the administrative law judge to direct a licentiate found to have committed a violation or  
22 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
23 and enforcement of the case.

### 24 CAUSE FOR DISCIPLINE

25 (October 27, 2011 Criminal Conviction for Disturbing the Peace on December 14, 2010)

26 14. Respondent has subjected her registered nurse license to disciplinary action under  
27 Code sections 490 and 2761, subdivision (f) in that she was convicted of a crime that is  
28 substantially related to the qualifications, functions, and duties of a registered nurse. The  
circumstances are as follows:

a. On or about October 27, 2011, in a criminal proceeding entitled *The  
People of the State of California v. Jennifer Pearl Sanchez, aka Jennifer Pearl Hebron*, in  
Riverside County Superior Court, case number SWM1102152, Respondent was convicted on her

plea of guilty of violating Penal Code (PC) section 415, subdivision (2), disturbing the peace, a misdemeanor. Respondent was also charged with three counts of violating PC section 459, burglary, all misdemeanors committed on or about December 6, 2010; December 11, 2010; and December 14, 2010, which were dismissed as a result of a plea bargain.

b. As a result of the conviction, on or about October 27, 2011, Respondent was sentenced to three years summary probation and ordered to serve 30 days under the custody of the Riverside County Sheriff, with credit for time served of 2 actual days, or 28 days in the Work Release Program of the Smith Correctional Facility. Respondent was further ordered to complete an on-line theft course and pay \$484.45 in fees and \$600.00 in fines.

c. The facts that led to the conviction are that on or about December 6, 2010, Respondent went to a Target store in Temecula, California and stole an Apple iPod Touch portable media player. On or about December 11, 2010, Respondent returned to the same store and stole an Apple iPad tablet computer. Both burglaries were recorded through the store's surveillance video, prompting the store's loss prevention officer to call the Riverside County Sheriff's Department when Respondent returned to the store on or about December 14, 2010. At that time, Respondent took a high priced pillow, put it in a lower priced pillow package, and paid the lower price for the pillow as she checked out and exited the store with additional items in her purse, which she did not pay for. Upon apprehension, a Riverside County District Attorney's investigator recovered from Respondent's purse another Apple iPod Touch personal digital assistant in original packaging, one Blu-Ray optical disc storage (DVD) and two other DVDs, and the Apple iPod Touch handheld game console stolen from the store on December 6, 2010. Respondent admitted to the burglaries and said that the Apple iPad tablet computer which she stole on December 11, 2010 was with her husband who was out of the area. Respondent was booked into Southwest Detention Center without further incident.

## PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

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1. Revoking or suspending Registered Nurse License Number 633553, issued to Jennifer Pearl Sanchez, aka Jennifer Pearl Hebron;

2. Ordering Jennifer Pearl Sanchez to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: September 04, 2012

*for*   
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

SD2012802314  
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3 **BEFORE THE**  
4 **BOARD OF REGISTERED NURSING**  
5 **DEPARTMENT OF CONSUMER AFFAIRS**  
6 **STATE OF CALIFORNIA**

7 In the Matter of the Accusation Against:

8 **Jennifer Pearl Sanchez**  
9 **a.k.a. Jennifer Pearl Hebron**  
10 **P.O. Box 892934**  
11 **Temecula, CA 92589**

12 **Registered Nurse License No. 633553**

13 Respondent.

Case No. 2013-150

**REQUEST FOR DISCOVERY**

[Gov. Code § 11507.6]

14 **TO RESPONDENT:**

15 Under section 11507.6 of the Government Code of the State of California, parties to an  
16 administrative hearing, including the Complainant, are entitled to certain information concerning  
17 the opposing party's case. A copy of the provisions of section 11507.6 of the Government Code  
18 concerning such rights is included among the papers served.

19 **PURSUANT TO SECTION 11507.6 OF THE GOVERNMENT CODE, YOU ARE**  
20 **HEREBY REQUESTED TO:**

21 1. Provide the names and addresses of witnesses to the extent known to the Respondent,  
22 including, but not limited to, those intended to be called to testify at the hearing, and

23 2. Provide an opportunity for the Complainant to inspect and make a copy of any of the  
24 following in the possession or custody or under control of the Respondent:

25 a. A statement of a person, other than the Respondent, named in the initial  
26 administrative pleading, or in any additional pleading, when it is claimed that the act or  
27 omission of the Respondent as to this person is the basis for the administrative proceeding;

28 b. A statement pertaining to the subject matter of the proceeding made by  
any party to another party or persons;

1 c. Statements of witnesses then proposed to be called by the Respondent and  
2 of other persons having personal knowledge of the acts, omissions or events which are the  
3 basis for the proceeding, not included in (a) or (b) above;

4 d. All writings, including but not limited to reports of mental, physical and  
5 blood examinations and things which the Respondent now proposes to offer in evidence;

6 e. Any other writing or thing which is relevant and which would be  
7 admissible in evidence, including but not limited to, any patient or hospital records  
8 pertaining to the persons named in the pleading;

9 f. Investigative reports made by or on behalf of the Respondent pertaining  
10 to the subject matter of the proceeding, to the extent that these reports (1) contain the names  
11 and addresses of witnesses or of persons having personal knowledge of the acts, omissions  
12 or events which are the basis for the proceeding, or (2) reflect matters perceived by the  
13 investigator in the course of his or her investigation, or (3) contain or include by attachment  
14 any statement or writing described in (a) to (e), inclusive, or summary thereof.

15 For the purpose of this Request for Discovery, "statements" include written statements by  
16 the person, signed, or otherwise authenticated by him or her, stenographic, mechanical, electrical  
17 or other recordings, or transcripts thereof, of oral statements by the person, and written reports or  
18 summaries of these oral statements.

19 YOU ARE HEREBY FURTHER NOTIFIED that nothing in this Request for Discovery  
20 should be deemed to authorize the inspection or copying of any writing or thing which is  
21 privileged from disclosure by law or otherwise made confidential or protected as attorney's work  
22 product.

23 Your response to this Request for Discovery should be directed to the undersigned attorney  
24 for the Complainant at the address below within 30 days after service of the Accusation.

25 ///

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1 Failure without substantial justification to comply with this Request for Discovery may  
2 subject the Respondent to sanctions pursuant to sections 11507.7 and 11455.10 to 11455.30 of the  
3 Government Code.

4 Dated: 9/4/2012  
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**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 2013-150

**Jennifer Pearl Sanchez**  
**a.k.a. Jennifer Pearl Hebron**  
**P.O. Box 892934**  
**Temecula, CA 92589**

**NOTICE OF DEFENSE**

[Gov. Code §§ 11505 and 11506]

**Registered Nurse License No. 633553**

Respondent.

I, the undersigned Respondent in the above-entitled proceeding, hereby acknowledge receipt of a copy of the Accusation; Statement to Respondent; Government Code sections 11507.5, 11507.6 and 11507.7, Complainant's Request for Discovery; and two copies of a Notice of Defense.

I hereby request a hearing to permit me to present my defense to the charges contained in the Accusation.

Dated: \_\_\_\_\_

Respondent's Name: \_\_\_\_\_

Respondent's Signature: \_\_\_\_\_

Respondent's Address: \_\_\_\_\_

City, State and Zip Code: \_\_\_\_\_

Respondent's Telephone: \_\_\_\_\_

**Check appropriate box:**

- ☐ The above is my new address of record.
- ☐ I do not consent to electronic reporting.

The hearing in this case will be electronically reported/recorded, unless you check the above-left box to indicate that you do not consent to electronic recording, in which case the hearing will be reported by a stenographic reporter. If you do not check this box, you may withdraw your consent to electronic recording at any point up to fifteen (15) calendar days prior to the date set for hearing, by a written statement served on the Office of Administrative Hearings and on counsel for Complainant. If the box is not checked, and no written withdrawal of consent is served on the Office of Administrative Hearing and on counsel for Complainant by fifteen (15) calendar days prior to the hearing, you waive any right to stenographic reporting.

- ☐ I am represented by counsel, whose name, address and telephone number appear below:

Counsel's Name \_\_\_\_\_

Counsel's Mailing Address \_\_\_\_\_

City, State and Zip Code \_\_\_\_\_

Counsel's Telephone Number \_\_\_\_\_

- ☐ I am not now represented by counsel. If and when counsel is retained, immediate notification of the attorney's name, address and telephone number will be filed with the Office of Administrative Hearing and a copy sent to counsel for Complainant so that counsel will be on record to receive legal notices, pleadings and other papers.

The agency taking the action described in the Accusation may have formulated guidelines to assist the administrative law judge in reaching an appropriate penalty. You may obtain a copy of the guidelines by requesting them from the agency in writing.

**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**Jennifer Pearl Sanchez  
a.k.a. Jennifer Pearl Hebron  
P.O. Box 892934  
Temecula, CA 92589**

**Registered Nurse License No. 633553**

Respondent.

Case No. 2013-150

**NOTICE OF DEFENSE**

[Gov. Code §§ 11505 and 11506]

I, the undersigned Respondent in the above-entitled proceeding, hereby acknowledge receipt of a copy of the Accusation; Statement to Respondent; Government Code sections 11507.5, 11507.6 and 11507.7, Complainant's Request for Discovery; and two copies of a Notice of Defense.

I hereby request a hearing to permit me to present my defense to the charges contained in the Accusation.

Dated: \_\_\_\_\_

Respondent's Name: \_\_\_\_\_

Respondent's Signature: \_\_\_\_\_

Respondent's Address: \_\_\_\_\_

City, State and Zip Code: \_\_\_\_\_

Respondent's Telephone: \_\_\_\_\_

**Check appropriate box:**

- ☐ The above is my new address of record.
- ☐ I do not consent to electronic reporting.

The hearing in this case will be electronically reported/recorded, unless you check the above-left box to indicate that you do not consent to electronic recording, in which case the hearing will be reported by a stenographic reporter. If you do not check this box, you may withdraw your consent to electronic recording at any point up to fifteen (15) calendar days prior to the date set for hearing, by a written statement served on the Office of Administrative Hearings and on counsel for Complainant. If the box is not checked, and no written withdrawal of consent is served on the Office of Administrative Hearing and on counsel for Complainant by fifteen (15) calendar days prior to the hearing, you waive any right to stenographic reporting.

- ☐ I am represented by counsel, whose name, address and telephone number appear below:

Counsel's Name \_\_\_\_\_

Counsel's Mailing Address \_\_\_\_\_

City, State and Zip Code \_\_\_\_\_

Counsel's Telephone Number \_\_\_\_\_

- ☐ I am not now represented by counsel. If and when counsel is retained, immediate notification of the attorney's name, address and telephone number will be filed with the Office of Administrative Hearing and a copy sent to counsel for Complainant so that counsel will be on record to receive legal notices, pleadings and other papers.

The agency taking the action described in the Accusation may have formulated guidelines to assist the administrative law judge in reaching an appropriate penalty. You may obtain a copy of the guidelines by requesting them from the agency in writing.

**COPY OF GOVERNMENT CODE SECTIONS 11507.5, 11507.6 AND 11507.7  
PROVIDED PURSUANT TO GOVERNMENT CODE SECTIONS 11504 AND 11505**

**SECTION 11507.5: Exclusivity of discovery provisions**

The provisions of Section 11507.6 provide the exclusive right to and method of discovery as to any proceeding governed by this chapter.

**SECTION 11507.6: Request for discovery**

After initiation of a proceeding in which a respondent or other party is entitled to a hearing on the merits, a party, upon written request made to another party, prior to the hearing and within 30 days after service by the agency of the initial pleading or within 15 days after the service of an additional pleading, is entitled to (1) obtain the names and addresses of witnesses to the extent known to the other party, including, but not limited to, those intended to be called to testify at the hearing, and (2) inspect and make a copy of any of the following in the possession or custody or under the control of the other party:

(a) A statement of a person, other than the respondent, named in the initial administrative pleading, or in any additional pleading, when it is claimed that the act or omission of the respondent as to this person is the basis for the administrative proceeding;

(b) A statement pertaining to the subject matter of the proceeding made by any party to another party or person;

(c) Statements of witnesses then proposed to be called by the party and of other persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, not included in (a) or (b) above;

(d) All writings, including, but not limited to, reports of mental, physical and blood examinations and things which the party then proposes to offer in evidence;

(e) Any other writing or thing which is relevant and which would be admissible in evidence;

(f) Investigative reports made by or on behalf of the agency or other party pertaining to the subject matter of the proceeding, to the extent that these reports (1) contain the names and addresses of witnesses or of persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, or (2) reflect matters perceived by the investigator in the course of his or her investigation, or (3) contain or include by attachment any statement or writing described in (a) to (e), inclusive, or summary thereof.

For the purpose of this section, "statements" include written statements by the person signed or otherwise authenticated by him or her, stenographic, mechanical, electrical or other recordings, or transcripts thereof, of oral statements by the person, and written reports or summaries of these oral statements.

Nothing in this section shall authorize the inspection or copying of any writing or thing which is privileged from disclosure by law or otherwise made confidential or protected as the attorney's work product.



## **SECTION 11507.7: Petition to compel discovery; Order; Sanctions**

(a) Any party claiming the party's request for discovery pursuant to Section 11507.6 has not been complied with may serve and file with the administrative law judge a motion to compel discovery, naming as respondent the party refusing or failing to comply with Section 11507.6. The motion shall state facts showing the respondent party failed or refused to comply with Section 11507.6, a description of the matters sought to be discovered, the reason or reasons why the matter is discoverable under that section, that a reasonable and good faith attempt to contact the respondent for an informal resolution of the issue has been made, and the ground or grounds of respondent's refusal so far as known to the moving party.

(b) The motion shall be served upon respondent party and filed within 15 days after the respondent party first evidenced failure or refusal to comply with Section 11507.6 or within 30 days after request was made and the party has failed to reply to the request, or within another time provided by stipulation, whichever period is longer.

(c) The hearing on the motion to compel discovery shall be held within 15 days after the motion is made, or a later time that the administrative law judge may on the judge's own motion for good cause determine. The respondent party shall have the right to serve and file a written answer or other response to the motion before or at the time of the hearing.

(d) Where the matter sought to be discovered is under the custody or control of the respondent party and the respondent party asserts that the matter is not a discoverable matter under the provisions of Section 11507.6, or is privileged against disclosure under those provisions, the administrative law judge may order lodged with it matters provided in subdivision (b) of Section 915 of the Evidence Code and examine the matters in accordance with its provisions.

(e) The administrative law judge shall decide the case on the matters examined in camera, the papers filed by the parties, and such oral argument and additional evidence as the administrative law judge may allow.

(f) Unless otherwise stipulated by the parties, the administrative law judge shall no later than 15 days after the hearing make its order denying or granting the motion. The order shall be in writing setting forth the matters the moving party is entitled to discover under Section 11507.6. A copy of the order shall forthwith be served by mail by the administrative law judge upon the parties. Where the order grants the motion in whole or in part, the order shall not become effective until 10 days after the date the order is served. Where the order denies relief to the moving party, the order shall be effective on the date it is served.

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